

Entered - 4-1-04 sb  
CL 04L0210 - GWENDOLYN BURNS

CLAIM OF: **CHERYL WOODS**  
1985 West Kimberly Road, SW  
Atlanta, Georgia 30331


04-*R*-1521

For vehicular damages allegedly sustained from driving over a defective roadway on December 29, 2003 at 1861 West Kimberly Road, SW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **CHERYL WOODS** the sum of **\$1,141.35** as full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages allegedly sustained from driving over a defective roadway on December 29, 2003 at 1861 West Kimberly Road, SW as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.

APPROVED: **LINDA K. DISANTIS**  
CITY ATTORNEY

BY:   
**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY

## FAVORABLE REPORT

COMM: PSLA

DATE: 5/31/04

CHAIR: *[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

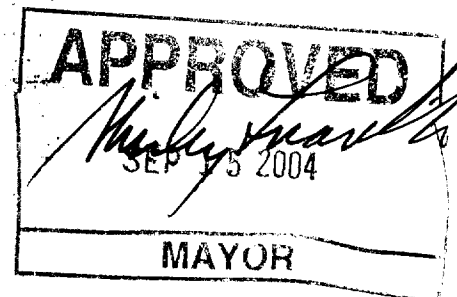
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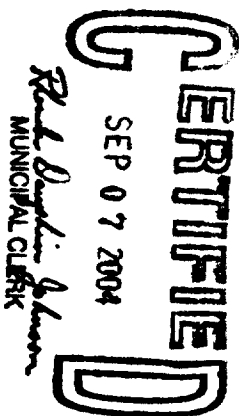
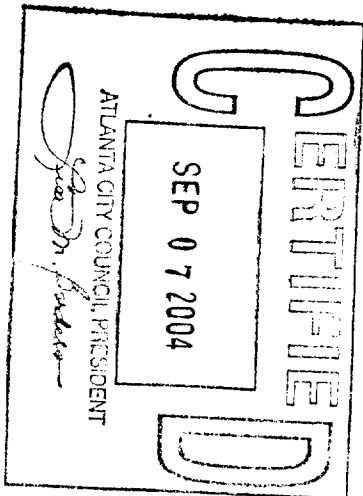
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ADOPTED BY  
SEP 07 2004  
COUNCIL





**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**04-R-1521**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Cheryl Woods** in the sum of **\$1,141.35** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **from driving over a defective roadway on December 29, 2003 at 1861 West Kimberly Road, SW**, as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

A handwritten signature in black ink, appearing to be "R. L. ...", is written over a large, stylized circular flourish.

**Deputy Municipal Clerk**

**ADOPTED by the City Council  
APPROVED by the Mayor**

**SEPT 07, 2004  
SEPT 15, 2004**

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 04L0210

Date: August 17, 2004

Claimant /Victim CHERYL WOODS  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 1985 West Kimberly Road, SW, Atlanta, Georgia 30331  
Subrogation: Claim for Property damage \$ 1,299.33 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 3/26/04 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 12/29/03 Place: 1861 West Kimberly Road, SW  
Department PUBLIC WORKS Division: Street Operations  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: Claimant sustained vehicular damage when she drove over a defective section of the roadway. An investigation determined that the city was on notice of the defective area but failed to correct it.

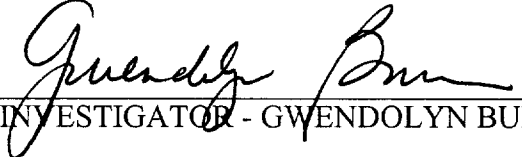
**INVESTIGATION:**

Statements: City employee X Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral X  
Pictures X Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

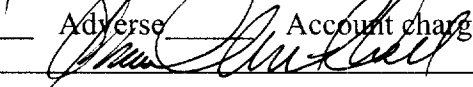
**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial X  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
\_\_\_\_\_  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ 1,141.35 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2P01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 08/19/04  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 5986  
9/07/04  
2:30 PM

Atlanta City Council

Regular Session

CONSENT AGENDA PAGES (2-17)  
EXCEPT 1369;1478;1319  
ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 2

B Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

		9-07-4 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1423	41. 04-R-1517	51. 03-R-2092
2. 04-O-1437	42. 04-R-1518	52. 03-R-2093
3. 04-O-1438	43. 04-R-1519	53. 03-R-2094
4. 04-O-1439	44. 04-R-1520	54. 03-R-2095
5. 04-O-0327	45. 04-R-1521	55. 03-R-2096
6. 04-O-0752	46. 04-R-1522	56. 03-R-2097
7. 04-O-1419	47. 04-R-1523	57. 03-R-2098
8. 04-O-1427	48. 04-R-1524	58. 03-R-2099
9. 04-O-1424	49. 04-R-1525	59. 03-R-2100
10. 04-O-1436	50. 04-R-1526	60. 03-R-2101
11. 04-O-1318		61. 03-R-2102
12. 04-O-1319		62. 03-R-2103
13. 04-O-1422		63. 03-R-2104
14. 04-R-1212		64. 03-R-2105
15. 04-R-1474		65. 04-R-1527
16. 04-R-1550		66. 04-R-1528
17. 04-R-1374		67. 04-R-1529
18. 04-R-1467		68. 04-R-1530
19. 04-R-1475		69. 04-R-1531
20. 04-R-1476		70. 04-R-1532
21. 04-R-1497		71. 04-R-1533
22. 04-R-1498		72. 04-R-1534
23. 04-R-1499		73. 04-R-1535
24. 04-R-1515		74. 04-R-1536
25. 04-R-1471		75. 04-R-1537
26. 04-R-1432		76. 04-R-1538
27. 04-R-1387		77. 04-R-1539
28. 04-R-1482		78. 04-R-1540
29. 04-R-1483		79. 04-R-1541
30. 04-R-1484		80. 04-R-1542
31. 04-R-1486		81. 04-R-1543
32. 04-R-1488		82. 04-R-1544
33. 04-R-1511		83. 04-R-1545
34. 04-R-1512		84. 04-R-1546
35. 04-R-1477		85. 04-R-1547
36. 04-R-1490		86. 04-R-1548
37. 04-R-1492		87. 04-R-1514
38. 04-R-1493		
39. 04-R-1494		
40. 04-R-1516		